

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

RAYMOND ROSAS,

Plaintiff,

-against-

BALTER SALES CO. INC., ARNOLD
BALTER, individually, MARK BALTER,
individually, and BARRY ROSENBERG,
individually,

Defendants.

-----X

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 11/24/15

12-CV-6557 (VSB)

PLEASE CHECK (✓) YOUR ANSWERS

All jurors must agree on the answers to all of the questions:

PART I: CLAIMS OF RAYMOND ROSAS

Race Discrimination Claims

1. Has Mr. Rosas proved, by a preponderance of the evidence, that he was subjected to race-based discrimination in violation of Section 1981:

a. by Balter Sales?

Yes X No _____

b. by Mark Balter?

Yes X No _____

Proceed to Question 2.

2. Has Mr. Rosas proved, by a preponderance of the evidence, that he was subjected to race-based discrimination in violation of the New York State Human Rights Law (NYSHRL):

a. by Balter Sales?

Yes X No _____

b. by Mark Balter?

Yes X No _____

Proceed to Question 3.

3. Has Mr. Rosas proved, by a preponderance of the evidence, that he was subjected to race-based discrimination in violation of the New York City Human Rights Law (NYCHRL):

a. by Balter Sales?

Yes X No _____

b. by Mark Balter?

Yes X No _____

c. by Arnold Balter?

Yes X No _____

Proceed to Question 4.

Retaliation Claims

4. Has Mr. Rosas proved, by a preponderance of the evidence, that he was subjected to retaliation in violation of the New York State Human Rights Law (NYSHRL):

a. by Balter Sales?

Yes X No _____

b. by Mark Balter?

Yes X No _____

Proceed to Question 5.

5. Has Mr. Rosas proved, by a preponderance of the evidence, that he was subjected to retaliation in violation of the New York City Human Rights Law (NYCHRL):

a. by Balter Sales?

Yes X No _____

b. by Mark Balter?

Yes X No _____

c. by Arnold Balter?

Yes X No _____

Proceed to Question 6.

Battery Claim

6. Has Mr. Rosas proved, by a preponderance of the evidence, that Barry Rosenberg committed battery against Mr. Rosas?

Yes X No _____

If you have answered "Yes" to any part of any of the above Questions 1-6, please continue on to Questions 7-8. If not, please proceed to Part II on the counterclaim of Balter Sales.

Damages

Remember, you can only award damages from those Defendants who you have found liable in any of Questions 1-6. In considering a particular Defendant, if you did not answer "Yes" to any of Questions 1-6, you may not award damages from that Defendant. In other words, you should skip the questions in this Damages section that ask about Defendants for whom you have not answered "Yes" in any of Questions 1-6.

7. Has Mr. Rosas proved, by a preponderance of the evidence, that he is entitled to compensatory damages:

a. from Balter Sales?

Yes X No _____

i. If you answered "Yes", what amount of compensatory damages from Balter Sales?

\$ 250,000.00

b. from Mark Balter?

Yes X No _____

i. If you answered "Yes", what amount of compensatory damages from Mark Balter?

\$ 250,000.00

c. from Arnold Balter?

Yes X No _____

i. If you answered "Yes", what amount of compensatory damages from Arnold Balter?

\$ 250,000.00

d. from Barry Rosenberg?

Yes X No _____

i. If you answered "Yes", what amount of compensatory damages from Barry Rosenberg?

\$ \$50,000.00

8. Has Mr. Rosas proved, by a preponderance of the evidence, that he is entitled to punitive damages:

a. from Balter Sales?

Yes X No _____

b. from Mark Balter?

Yes X No _____

c. from Arnold Balter?

Yes X No _____

PART II: COUNTERCLAIM OF BALTER SALES

Conversion Claim

9. Has Balter Sales proved, by a preponderance of the evidence, that Mr. Rosas committed conversion?

Yes _____ No X _____

If you have answered "Yes" to the above Question 9, please continue on to Question 10. If not, you are done with Part II and you may stop. Please proceed to the last page and sign the verdict form.

10. Has Balter Sales proved, by a preponderance of the evidence, that it is entitled to compensatory damages from Mr. Rosas?

Yes _____ No _____

- i. If yes, in what amount?

\$ _____

You are finished. Please sign and date this form.



Signature of Foreperson

Dated: 11/24/15